

Docket No: HAMANN
Appl. No: 09/973,487

REMARKS

With regard to the requirement for restriction, Applicant hereby provisionally elects to prosecute Group I, covering claims 1-7, and reserves the right to file a divisional application or to take such other appropriate measures as deemed necessary to protect the invention of Group II-V.

With regard to the requirement for election, Applicant hereby provisionally elects the species of Fig. 4 as covered by claims 1-7.

Record is also made of an interview between applicant's representative and the Examiner which took place on September 12, 2003. The Examiner is thanked for his help and assistance as well as for the courtesies extended to Counsel at that time. At the interview, applicant noted that the reference by the Examiner in above Office Action to the species of "Embodiment 1: figures 1, 2" appears incorrect, as Figs. 1 and 2 are labeled prior art. Rather, the reference should be to "Fig. 4". The Examiner agreed that the reference to Figs. 1, 2 is incorrect and should, indeed, read --Fig. 4--.

Applicant has also amended claims 1, 8, 15-19 and added new claims 21 and 22. The Commissioner is hereby authorized to charge the fee of \$36.00 for presenting two dependent claims in excess of twenty to Deposit Account No: 06-0502. More specifically, applicant has amended claims 1 and 8 to clarify the use of the instruction apparatus for an electric machine. Ample support is provided in the instant specification, e.g. paragraphs [0002] or [0012]. Claims 1

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and 15 have also been amended to set forth all claim elements in positive manner and to more clearly set forth the subject matter as contemplated by the inventors. These amendments are cosmetic in nature and do not narrow the claims to trigger prosecution history estoppel. Claims 16 and 17 have been amended to make them dependent on claim 1, while claims 18 and 19 have been amended to make them dependent on claim 8. Claims 21 and 22 have been added and made dependent on claims 1 and 8, respectively. Claims 21 and 22 set forth subject matter recited, e.g., in original claim 20. Ample support for the content of claims 21 and 22 can also be found throughout the instant specification.

As a result of the amendments to claims 16 and 17 and the presentation of claim 21, which claims are made dependent on claim 1, it is believed that claims 16, 17 and 21 should also remain in this application together with elected claims 1 and 7.

It is noted that each named inventor of the subject matter of the instant application contributed at least to one of the claims, presently on file.

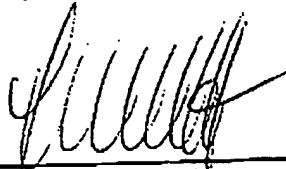
With regard to claims 8-15, 18, 19, 20 and 22 constituting the other species, applicant does not waive any of his rights therefore or abandon such subject matter.

Applicant has also amended the instant specification to correct two ambiguities. These changes are self-explanatory and do not contain any new matter.

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Since applicant has fully and completely responded to the Official Action and has made the required election, this application is now in order for early action at least on the merits of claims 1-7, 16, 17 and 21.

Respectfully submitted,

By: 
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